

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 IO-13 CPR-02 L-03 PA-01 SS-15 SP-02

HA-05 CIAE-00 INR-10 NSAE-00 DODE-00 NSCE-00

SSO-00 ICAE-00 INRE-00 JUSE-00 /064 W

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R 220754Z JUN 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC NIACT IMMEDIATE 7540

C O N F I D E N T I A L MANILA 10523

E.O. 11652: GDS

TAGS: SHUM, PDIP, RP

SUBJECT: NEW YORK INCIDENT: ROMULO SAYS USG SHOULD

- "APOLOGIZE" NOT JUST "REGRET"; MARCOS SAYS US
- LAWYER HIRED TO PREPARE COURT ACTION

REF: MANILA 10369

1. SUMMARY: ROMULO TOLD NEWSMEN JUNE 21 THAT THE USG STATEMENT OF "REGRET" OVER THE JUNE 11 INCIDENT IN NEW YORK DID NOT CONSTITUTE AN "APOLOGY." PELAEZ PUBLICLY AGREED. MARCOS, INTERVIEWED SEPARATELY JUNE 21, CONFIRMED THE GOP HAD HIRED AN AMERICAN LAWYER TO PREPARE COURT ACTION BUT WILL WAIT TO SEE WHETHER THE USG PROSECUTES THE POLICEMEN. HE ADDED THAT THEY COULD ALSO BE CHARGED UNDER PHILIPPINE LAW. I HAVE DECLINED COMMENT TO PRESS. REQUEST INDICATION FROM DEPARTMENT BY COB WASHINGTON JUNE 22 (I MAY SEE MARCOS JUNE 23) ON HOW WE SEE NEXT STEPS. ALSO REQUEST AUTHORITY TO DISCUSS WITH MARCOS PROPOSED WORDING OF ANY FURTHER USG STATEMENT. END SUMMARY.

2. FOREIGN MINISTER ROMULO, QUOTED IN ALL MANILA MORNING PAPERS JUNE 22, TOLD NEWSMEN: THE STATE DEPARTMENT SAID THEY REGRET AND THEN QUOTE THE VERSION OF THE POLICE. THAT'S NOT AN APOLOGY. WE ARE STILL WAITING FOR THE
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APOLOGY." RECALLING THAT HE HAD APOLOGIZED TO THE USG AFTER A DEMONSTRATION AGAINST THE US EMBASSY BEFORE MARTIAL LAW, ROMULO ADDED, "I DIDN'T SAY WE ARE SORRY, I SAID WE APOLOGIZE. THE AMERICAN GOVERNMENT HAS NOT SAID THAT YET. THEY SAID WE REGRET. ... THE NEWSPAPERS HERE SAID APOLOGY. NO APOLOGY*" ASKED BY NEWSMEN WHETHER PRESIDENT CARTER HAD REACTED TO THE INCIDENT, ROMULO

REPLIED, "THAT'S TOO MUCH TO EXPECT FROM CARTER." HE WENT ON TO SAY HE WILL SOON RELEASE COPIES OF A "SATURDAY REVIEW" ARTICLE WHICH IMPRESSED HIM THAT "THERE IS NO HUMAN RIGHTS IN GEORGIA."

3. FORMER FOREIGN SECRETARY AND VICE PRESIDENT EMMANUEL PELAEZ, INTERVIEWED WITH ROMULO, AGREED ABOUT THE DISTINCTION BETWEEN "REGRET" AND "APOLOGY": "A MAN WHO PULLS THE SWITCH ON THE ELECTRIC CHAIR MAY REGRET HE HAS TO DO IT. BUT IT IS HIS DUTY. APOLOGY IS ACCEPTANCE OF A VIOLATION OF SOMEBODY'S RIGHTS."

4. MEANWHILE, PRIME MINISTER MARCOS TOLD REPORTERS DURING A BREAK IN THE INTERIM LEGISLATURE SESSION JUNE 21 THAT THE GOP HAD RETAINED AN AMERICAN LAWYER (UNIDENTIFIED) TO TAKE SWORN STATEMENTS AND PREPARE NECESSARY COURT ACTION. THE STATEMENTS WILL BE POUCHED TO MANILA TODAY (JUNE 22), HE SAID, AND THE GOP WILL DECIDE WHAT ACTION TO TAKE. HE SAID THE GOP WOULD WAIT TO SEE WHETHER THE USG FILES ITS OWN COURT CASE AGAINST THE POLICEMEN, BUT "WHATEVER THE AMERICAN GOVERNMENT MAY OFFICIALLY DO, THE MATTER SHOULD BE BROUGHT TO THE PROPER COURTS OF JUSTICE." HE ADDED THAT THE POLICEMEN COULD BE CHARGED UNDER PHILIPPINE LAW, MENTIONING TRESPASS AND INFLECTING PERSONAL INJURY ON A REPRESENTATIVE OF THE PHILIPPINES.

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5. I WAS ASKED BY PRESS AT THE AIRPORT TODAY WHAT WE INTENDED TO DO. I SAID I HAD NO COMMENT BEYOND ASSURING THEM WE WERE FOLLOWING CLOSELY THE ONGOING INVESTIGATION INTO THE FACTS OF THE CASE AND URGING IT BE COMPLETED ASAP

6. ACTION REQUESTED: I AM SEEKING AN APPOINTMENT TO DISCUSS OTHER MATTERS WITH MARCOS AND MAY SEE HIM AS EARLY AS FRIDAY, JUNE 23. IT WOULD BE MOST HELPFUL TO HAVE AN INDICATION FROM DEPARTMENT BY COB WASHINGTON JUNE 22 OF HOW WE SEE NEXT STEPS. SPECIFICALLY, WOULD IT BE POSSIBLE FOR SECRETARY TO SEND MESSAGE TO ROMULO AT THIS STAGE USING THE WORD "APOLOGIZE" VICE "REGRET" FOR THE INCIDENT? ANY SUCH MESSAGE SHOULD BE DRAFTED WITH UNDERSTANDING GOP WOULD RELEASE TO PRESS.

7. WHILE WE HAVE NOTED GENUINE CONCERN ABOUT THE NY POLIC INTRUSION ON THE PART OF FILIPINOS, THERE ARE NOW GROUNDS TO SUSPECT THE GOP -- AND ROMULO IN PARTICULAR -- ARE FANNING THE FIRE LIT BY THE INCIDENT AS A WAY OF GETTING BACK AT US FOR VARIOUS AMERICAN CRITICISMS OF GOP'S PERFORMANCE IN THE HUMAN RIGHTS AREA. BEFORE WE MAKE ANY FURTHER STATEMENT, WHETHER OR NOT FROM SECRETARY, SUGGEST I

BE AUTHORIZED TO DISCUSS WITH MARCOS ITS PROPOSED WORDING
AND USE OCCASION TO URGE THAT GOP STOP AGITATING THIS
ISSUE. MURPHY

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Draft Date: 22 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
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